



**NATIONAL INVESTIGATION AGENCY
MINISTRY OF HOME AFFAIRS
GOVERNMENT OF INDIA
NEW DELHI.**

**CHARGE SHEET
(U/s 173 Cr P C)**

**BEFORE THE HONOURABLE SPECIAL COURT
FOR N.I.A CASES, HYDERABAD, ANDHRA PRADESH STATE**

STATE

V/s

MORJEN HOSSAIN AND OTHERS

- 1 . Name of the Branch** : National Investigation Agency,
Hyderabad. Andhra Pradesh State
- FIR No.** : 1/2012
Year : 2012
Date : 03-01-2012
- 2. . Final Report/
Charge Sheet** : Final Report – 4
- 3 . Date** : 09-04-2013.
- 4 . Sections of Law** : U/s 489 (B), 489 (C) r/w 120-B of
IPC and Section 16 & 18 of
Unlawful Activities (Prevention) Act,
1967 (as Amended in 2008).
- 5 . Type of Final Report** : Charge Sheet

- 6 . If Final Report un-occurred/False Mistake of fact/ Mistake of law Non Cognizable/ Civil Nature** : Not Applicable
- 7 . If charge sheeted: Original/ Supplementary** : Supplementary Charge Sheet
- 8 . Name of Investigating Officer** : XXXXXXXXXX,
Dy. Supt. of Police,
NIA, Hyderabad.
- 9 . Name of the Complainants/ Informants** : National Investigation Agency
Hyderabad.(Andhra Pradesh State)
- 10 . Details of properties/ Articles /Documents Recovered/ seized during Investigation and relied Upon.** : As per the list enclosed
in Annexure B & C

11. PARTICULARS OF ACCUSED PERSON CHARGE SHEETED:

1) SURJA JAMAL- A-22

1	Name	Surja Jamal
2	Whether verified	Yes
3	Age	48 years
4	Father's name	Mubarak Hossain
5	Sex	Male
6	Nationality	Indian
7	Passport details	No Passport
8	Occupation	Labourer
9	Address (present)	R/o Native of Jamsed Toula,

		Mauja Mohabatpur JL No. 55 Charianantapur, Kaliachak of Malda district of West Bengal State.
10	Address(Permanent)	Same as above
11	Whether verified	Yes
12	Provisional Criminal No	Nil
13	Regular Criminal No.(If known)	Nil
14	Date of arrest	24-12-2012
15	Date of release on bail	Not Released on bail
16	Under Act and Sections (of charge sheet)	U/s 489 (B), 120 B of IPC and Section 16 &18 of Unlawful Activities (Prevention) Act, 1967 (as Amended in 2008)
17	Name(s) of bailer/sureties and Address	Not applicable
18	Previous Cases	Nil
19	Previous convictions with case Reference	Nil
20	Status of accused	In Judicial Custody

2) MOHAMMED ANEES- A-28

1	Name	Mohammed Anees
2	Whether verified	Yes
3	Age	18-10-1972 (41 Years)
4	Father's name	Mohd. Iqbal
5	Sex	Male
6	Nationality	Indian
7	Passport details	No Passport
8	Occupation	Saree designing Business

9	Address (present)	Mohalla Bada, Badabangashpura (V), Kotwali: Ghomna, Dist: Farukabad, Uttar Pradesh State
10	Address(Permanent)	Same as above
11	Whether verified	Yes
12	Provisional Criminal No	Nil
13	Regular Criminal No.(If known)	Nil
14	Date of arrest	03-09-2012
15	Date of release on bail	Released on bail
16	Under Act and Sections (of charge sheet)	U/s 489 (B), 120 B of IPC and Section 16 & 18 of Unlawful Activities (Prevention) Act, 1967 (as Amended in 2008)
17	Name(s) of bailer/suretias and Address	1)Md. Afak S/o Md. Iqbal, aged: 28 years, Occ: Business, [REDACTED] 2) Md. Faheem S/o Md. Farooq, aged: 40 years, Occ: Business, [REDACTED]
18	Previous Cases	Nil
19	Previous convictions with case Reference	Nil
20	Status of accused	Released on bail

3) KAUSAR SHEIKH @ BOOTAN- A-31

1	Name	Kausar Sheikh @ Bootan
2	Whether verified	Yes
3	Age	19 years
4	Father's name	Mansur Sheikh
5	Sex	Male
6	Nationality	Indian
7	Passport details	No Passport
8	Occupation	Labourer
9	Address (present)	R/o Mohabatpur village, Charianantapur Gram Panchayat, Duishatabigh Post, Kaliachak Block - III, Malda Dist., West Bengal State.
10	Address(Permanent)	Same as above
11	Whether verified	Yes
12	Provisional Criminal No	Nil
13	Regular Criminal No.(If known)	Nil
14	Date of arrest	12-10-2012
15	Date of release on bail	Not Released on bail
16	Under Act and Sections (of charge sheet)	U/s 489 (B), 489 (C) r/w 120 B of IPC and Section 16 & 18 of Unlawful Activities (Prevention) Act, 1967 (as Amended in 2008)
17	Name(s) of bailer/sureties and Address	Not applicable
18	Previous cases	Nil
19	Previous convictions with case Reference	Nil
20	Status of accused	In Judicial Custody

- 12. Particulars of the accused** : **Nil**
Persons not charge sheeted
- 13. (i) Particulars of**
Witnesses examined : Separate list attached as
Annexure-A
- (ii) List of documents** : Separate list attached as
Annexure-B
- (iii) List of articles** : Separate list attached as
Annexure-C.
- 14. If FIR is false, action taken** : Not applicable
- 15. Result of laboratory analysis** : Separate list attached as
Annexure-B

16. BRIEF FACTS OF THE CASE:

16.1 On the credible information that one Morjen Hossain of Mohabatpur Village, Kaliachak PS limits, Malda Dist, West Bengal State and others were circulating Counterfeit Indian Currency Notes of denominations of Rs. 500/- and Rs. 1000/-, the mobile phone Numbers of Morjen Hossain and others were lawfully intercepted under section 5 of The Indian Telegraph Act, 1885 after taking necessary permission from the Ministry of Home Affairs, Govt of India. The conversations that took place on the intercepted phones were recorded. From the said interception of mobile phones, it was revealed that Morjen Hossain, Rakib Sheik who worked at Ramky Infrastructures (ORR Project), Patancheru, Medak Dist, Andhra

Pradesh State and others formed into a group and indulged in smuggling of Counterfeit Indian Currency Notes having face value of Rs. 500/- and Rs. 1000/- from hostile country and circulation of the same in India as a part of larger conspiracy to destabilize the monetary system of India. Further, they were allegedly raising funds for terrorist activities by way of earning genuine currency notes against the counterfeit currency notes circulated by them. The Government of India, Ministry of Home Affairs (Internal Security-I-Division), (IS-IV Desk) had given permission vide Order No. 11034/36/2011-IS-IV dated 28/12/2011 for registration of this case.

16-2 Accordingly a case in Cr. No. 01/2012/NIA/Hyd was registered against A-1 Morjen Hossain, A-2 Rakib Sheik and others U/s 489 (B), 489 (C) r/w 120-B IPC and Sections 15,17 and 18 of Unlawful Activities (Prevention) Act-1967.

16-3 The A-1 Morjen Hossain was arrested on 06-01-2012 in Malda District, West Bengal State and he confessed the offence. He revealed the names of other persons (apart from A-2 Rakib Sheik) involved in the crime and they were arrayed as A-3 to A-22. A-17 Mohammed @ Sheik @ Anwar @ Ashraf is a Pakistan National and he supplied Counterfeit Indian Currency Notes to A-18 Shareef Sheik, who is a Bangladesh National, for circulation in India. The A-18 Shareef Sheik in association with A-1 Morjen Hossain, A-19 Mohsin Sheik and others got the Fake Indian currency Notes smuggled into India and circulated the same.

16-4 While the case was under investigation, credible information was received to the effect that the above said A-17 Mohammed @ Sheik @ Anwar @ Ashraf, a Pakistan National presently

residing in Dubai, was smuggling the Counterfeit Indian Currency Notes into India for circulation in association with one Masood Akhtar Ansari @ Nayeem resident of Bengaluru and one Imran of Delhi. Discreet enquiries were caused and it came to light that Masood Akhtar Ansari @ Nayeem sent a parcel containing Counterfeit Indian Currency Notes from Bengaluru to Imran who was in Delhi. It further came to light that the said Imran would collect the parcel containing Counterfeit Indian Currency Notes from Patel Rail Cargo, Chandni Chowk in Delhi. Basing on the said information, NIA investigation team was rushed to Delhi. On 27-03-2012, in Delhi, two persons namely 1) Janab Hassan and 2) Imran came to Patel Rail Cargo and took the delivery of Parcel. The investigation team intercepted those two persons in the presence of two independent witnesses and got the said parcel opened. In the said parcel Counterfeit Indian Currency Notes amounting to Rs.9,85,000/- were found packed in a plastic bag of off white colour beneath the tea packets consisting of 17 numbers and the same were seized. They were arrested and arrayed as A-23 and A-24. The person, who sent the Counterfeit Indian Currency Notes from Bengaluru to A-23 and A-24, was identified as Masood Akhtar Ansari @ Nayeem and he was arrayed as A-25. The A-25 is an associate of A-17 Mohammed @ Sheik @ Anwar @ Ashraf, who is a Pakistan National. The A-25 was procuring the Counterfeit Indian Currency Notes from A-17. The A-25 Masood Akhtar Ansari @ Nayeem was arrested on 29-03-2012 in Bengaluru. Five other associates of A-25, who are residents of Bengaluru, were also identified and they were arrayed as A-26 to A-30. The A-25 got the said parcel containing FICN Rs. 9,85,000/- booked through A-29

Chand Pasha and A-30 Rizwan Qureshi at Patel Parcel Movers, Bengaluru by giving a address slip.

16-5 From the above it is revealed that the A-17 Mohammed @ Sheik @ Anwar @ Ashraf is a main supplier of Counterfeit Indian Currency Notes to the gang led by accused A-1 Morjen Hossain. The confession statement of A-25 Masood Akthar and the material documents recovered from A-24 Imran Khan @ Imran established that these accused also hatched larger conspiracy to circulate Counterfeit Indian Currency Notes supplied by A-17-Mohammed @ Sheik @ Anwar @ Ashraf .

16-6 The main source of supply of Counterfeit Currency Notes is A-17 and efforts are in progress to reach him to unearth the larger conspiracy and to curb his illegal activities of economic destabilization of the country.

16-7 Basing on the investigation done in this case so far, 1st Charge Sheet was filed in respect of A-1 to A-6 and A-8 to A-14 on 30-06-2012 before this Hon'ble Court. Supplementary Charge Sheet in respect of A-23 to A-27 was filed on 31-08-2012. Subsequently another Supplementary Charge Sheet in respect of A-7, A-16, A-19 and A-21 was filed on 07-11-2012.

16-8 Thereafter, investigation in respect of remaining accused A-22, A-28 and A-31 has been completed.

16-9 This supplementary charge sheet is herewith filed in respect of A-22 Surja Jamal, A-28 Mohammed Anees and A-31 Kausar Sheikh @ Bootan before this Hon'ble Court.

17. FACTS DISCLOSED DURING THE INVESTIGATION:

Investigation conducted in respect of A-22 Surja Jamal, A-28 Mohammed Anees and A-31 Kausar Sheikh @ Bootan, revealed the following facts.

17.1 Initially A-1 and A-2 only were named in the FIR. But after the arrest of A-1 Morjen Hossain on 06/01/2012 twenty (20) more persons were included in the case basing on the confession of A-1, arraying them as A-1 to A-22 by filing a memo for inclusion of the other accused before the Hon'ble IV Addl. M.S.J., Hyderabad. The A-17 is Mohammed @ Sheik @ Anwar @ Ashraf who is a citizen of Pakistan and supplier of Counterfeit Indian Currency Notes through A-18 Sherif Sheik, a Bangladesh National. The A-1 to A-11 were arrested in this case and later A-12 to A-14 were brought on PT warrants as they were lodged in jails for having been involved in possession and circulation of Counterfeit Indian Currency Notes. Subsequently A-16 Bablu Sheik was arrested on 15-05-2012 and A-19 Mohsin Sheik, A-21 Mustafa Ali Buddan and A-22 Surja Jamal were brought on PT warrants.

17.2 The investigation of this case further established that above said A-17 Mohammed @ Sheik @ Anwar @ Ashraf, a Pakistani National presently residing in Dubai, was smuggling the Counterfeit Indian Currency Notes into India for circulation in association with

A-25 Masood Akhtar Ansari @ Nayeem resident of Bengaluru and A-24 Imran Khan @ Imran of Delhi.

17.3 During the course of investigation it came to light that A-25 Masood Akhtar Ansari @ Nayeem sent a parcel containing Counterfeit Indian Currency Notes from Bengaluru to A-24 Imran who was in Delhi. It further came to light that A-24 Imran Khan @ Imran would collect the parcel containing Counterfeit Indian Currency Notes from Patel Rail Cargo, Chandini Chowk in Delhi. Basing on the said information, investigation team was rushed to Delhi. On 27-03-2012, in Delhi two persons namely 1) Janab Hassan and 2) Imran Khan @ Imran came to Patel Rail Cargo and took the delivery of Parcel. The NIA investigation team intercepted those two persons in the presence of two independent witnesses and got the said parcel opened. In the said parcel Counterfeit Indian Currency Notes amounting to Rs.9,85,000/- under the tea packets, were found and the said Counterfeit Indian Currency Notes were seized. They were arrested and arrayed as A-23 and A-24. The person, who sent the Counterfeit Indian Currency Notes from Bangalore to A-23 and A-24, was identified as Masood Akhtar Ansari @ Nayeem and he was arrayed as A-25 and arrested on 29-03-2012 in Bengaluru. He is an associate of A-17 Mohammed @ Sheik @ Anwar @ Ashraf who is a Pakistani National. The A-25 procured the Counterfeit Indian Currency Notes from A-17. Five other associates of A-25, who are residents of Bengaluru, were identified and they were arrayed as A-26 to A-30. On the instructions of A-25 Masood Akhtar Ansari @ Nayeem, the A-28 Mohammed Anees

Purchased tea packets and these were placed in the said parcel sent by A-25 Masood Akhtar Ansari @ Nayeem to A-24 in order to conceal the FICN.

17.4 As the A-22 Surja Jamal had been absconding in this case, on 23-03-2012 the NIA team went to his house in Mohabatpur village, Malda District, West Bengal State to arrest him. On observing the NIA team he instigated the mob to attack NIA team with stones and country made bombs and thereby the officers of NIA were injured. The A-22 Surja Jamal had escaped. In this regard a case as Crime No. 157/12 u/s 143, 186, 353, 332 and 307 IPC r/w Sec 3 & 4 of the Explosives Substances Act against A-22 Surja Jamal and others was registered in Kaliachak Police Station, Malda District, West Bengal State.

17.5 Again the NIA team went to Malda District in search of A-22 Surja Jamal. On the night of 11/12-10-2012 one person by name Kausar Sheikh was found in possession of Rs. 20 Lakhs Fake Indian currency Notes at Indo-Bangladesh border. The said Kausar Sheikh revealed that he is an associate of A-19 Mohsin Sheik and A-22 Surja Jamal and worked for them as a carrier of FICN which used to be thrown from Bangladesh border into India, in Malda Dist., West Bengal state. After the arrest of A-19 Mohsin Sheik, Kausar Sheik worked as carrier of FICN for the absconding accused A-22 Surja Jamal, exclusively. He further revealed that on the night of 11/12-10-2012, he received Rs. 20,00,000/- FICN at Indo-Bangladesh border and the said Fake Indian Currency were to be delivered to A-22 Surja Jamal. The accused Kausar Sheikh was arrested and he is arrayed as A-31.

17.6 Subsequently, A-22 Surja Jamal was arrested on 08-12-2012 in Cr.No.303/2012 U/S 489(B), 489(C) and 120(B) IPC of Baishnabnagar P.S., Malda district of West Bengal. Fake Indian Currency Notes amounting to Rs. 1,00,000/- (in denomination Rs.1000/-) were seized from his possession by the Police of Baishnabnagar PS, Malda District, **West Bengal**.

17.7 On 24-12-2012 the accused A-22 Surja Jamal was brought on PT warrant from District Correctional Home, Malda, West Bengal State and produced before the Hon'ble Court. He was taken into Police custody and interrogated.

17.8 Basing on the interrogation of A22 Surja jamal, Bank withdrawal voucher pertaining to United Bank of India was seized from his house which was in the name of his son Manirul Islam. In furtherance to that the Bank account statement was taken from the Branch Manager of United Bank of India, Kaliachak Branch, Malda District, West Bengal State and examined and recorded his statement. Basing on the statement of Branch Manager [REDACTED], officers visited United Bank of India of Moradabad Branch, Uttar Pradesh State and secured the attested counter slips of deposited vouchers and the statement of the Branch Manager was recorded. On the perusal of two vouchers a mobile number "98XXXXX343" was noticed on the depositors slip. The deposited amount was Rs. 49,000/- each on different dates. The name Murthija was written on depositors voucher in Hindi. The Customer Application Form (CAF) of the mobile number 98XXXXX343 was collected. It is registered in the name of Giridhar Singh s/o Ram

Ratan, r/o H.No. 36 Islamnagar, Muradabad Uttar Pradesh and the said phone was used by A-12 Mohammed Hussain @ Saleem @ Mestri, S/o Late Anwar Hussain, R/o Moradabad, Uttar Pradesh. The attested copies of Customer Application Form and Call Data Records are filed before the Hon'ble designated court along with the 1st charge sheet filed on 30-06-2012. In this regard the statement of Giridhar Singh and Mohd. Irshad S/o Monaj Hussain, aged 22 years, Occ: Agriculture cool, R/o Dakiajat (village), Moradabad Dist, U.P. State were recorded under section 161 Cr.P.C.

17.9 Further the accused A-22 Sujya Jamal was taken to analyst room and conducted the proceedings of voice calls recognition/identification in the presence of two independent witnesses. He was asked to identify the sample voices of the accused which were legally intercepted and preserved in the voice loggers of NIA Office, Hyderabad. He recognised the voices of himself along with the other accused A-16, A-19, A-21, A-24 and A-25.

17.10 On 3rd and 4th of January, 2013 the specimen voice samples of A-16 Bablu Sheik, A-19 Mohisin Sheik, A-21 Mustafa Ali Buddan, A-24 Imran Khan @ Imran and A-25 Masood Akhtar Ansari, were got recorded by the Asst. Director of APFSL, Red Hills, Hyderabad along with the accused A-22 Surja Jamal after taking due permission from the court.

17.11 Basing on the interrogation of A-22 Surja Jamal secured the presence of the witness [REDACTED], examined him and recorded his statement under section 161 Cr.P.C. His statement was also got recorded under section 164 Cr.P.C before the Hon'ble II MM Court,

Secunderabad. Wherein he stated that 'he is native of [REDACTED] West Bengal State, He is eking his livelihood by running a shoe shop in the name of [REDACTED] SHOE SHOP" at the above place for last 15 years. My village [REDACTED] is situated near the fencing at Indo-Bangladesh border. Before erecting fencing across the border, the people of Mohabatpur, Mohanpur villages of West Bengal State and people of border villages of Bangladesh like Kassarhat, Kaligunj and Kirangunj villages of Nawabgunj District, used to move freely across the border. After erecting border fencing the movement of the people across the border has been restricted by the Indian Government. His village consists of 200 houses which are along the border fencing of Indo-Bangladesh. At present also the people of border villages of both national's i.e. Bangladesh and India are continuing their old relationships and trying to move freely across the border'

17.12 By taking advantage of the above circumstances, Bangladesh Nationals started smuggling Fake Indian Currency Notes by collecting FICN from Pakistan and supplying the same in to India through the Bangladeshi people of bordering Kirangunj, Kaligunj, Kassarhat and Shivagunj PS limits of Nawabgunj District of Bangladesh. He personally knows the Bangladeshi Nationals who circulate Fake Indian Currency Notes. They are 1) **Shareef Sheik**, age about 35 years, r/o Kaligunj, Kirangunj village, Nawabgunj District of Bangladesh, 2) **Mohidul**, age about 25 years, r/o Kirangunj, Zodatola, Nawabgunj District of Bangladesh, 3) Gazlu Puchi, age 45 years r/o Kassarhat Bazar, Shivagunj PS limits, Nawabgunj district of Bangladesh 4) Muzammil, age about 36 years, Kirangunj, Zodatola, Nawabgunj District of Bangladesh and 5) Athahar, aged about 45

years, r/o Kirangunj, Zodatola, Nawabgunj District of Bangladesh and 6) Munshi Sheik @ Munshi, aged about 22 years, r/o Kirangunj, Zodatola, Nawabgunj District of Bangladesh who used to visit border villages i.e. Mohabatpur, Duisatho Bighi, Mohanpur and surrounding villages of India for their business i.e. supplying goats and fish to border villages. In return they purchase the essential commodities like rice, oil, dal etc., and transport back to their country Bangladesh. For the last 5 to 6 years the same persons are carrying out smuggling of Jali Notes under the guise of their regular business. If they are shown to me, He can identify them and also know their addresses in the neighbouring villages of Bangladesh.

17.13 They used to collect Fake Indian Currency Notes in denomination of Rs. 1000/- and Rs. 500/- received from Pakistan and supply to A-22 Surja Jamal and his associates of Mohabatpur village which is located nearby Indo-Bangladesh border by throwing into Indian border of Mohanpur village at designated place and time which they communicate on phones. For this transaction they used code words like “Bada for Rs. 1000/- Notes, Chota for Rs. 500/- Notes, One Piece for One Lakh FICN, Quintal for one lakh FICN and $\frac{1}{2}$ Quintal for fifty thousand FICN etc. One Surja Jamal (A-22) used to collect the FICN from Shareef Shaik and Mohidul of Bangladesh Nationals, and circulated in India through the accused A-1 Morjen Hossain. After the FICN circulation in the market & other agents A-1 Morjen Hossain used to collect the original Indian currency notes in lieu of FICN and hand over to Surja Jamal according to their convenience. Surja Jamal (A-22) used to keep the original currency in my shop from where the Bangladeshi Shareef and Mohidul used to collect the original Indian currency.

17.14 Sometimes A-22 Surja Jamal used to deposit original currency with [REDACTED] at his shoe shop on the instructions of Mohidul and Shareef Sheik. Sometimes Mohidul used to send his associates Athahar and Muzammil to collect the original Indian currency Notes from his house which is located adjacent to the fencing of Indo-Bangla border. They used to ask him to count the money while handing over at the shop or house. After handing over the same he used to inform the same to Morjen and Surja Jamal.

17.15 He obliged their needs due to threatening of Bangladesh people who smuggled FICN and also there is no security to the people of India who are staying in and around the Indo-Bangladesh border. He has visited the houses of Shareef Sheik (A-18) and Mohidul (A-32) in Bangladesh and can identify them and their residences.

17.16 Further the proceedings of photo identification parade was conducted in the presence of mediators and the witness [REDACTED] identified the accused as 1) Photograph No.1- as Surja Jamal, 2) Photograph No. 3- as Morjen, 3) Photograph No. 8-as Rijaul Sheik S/o Motu Sheik, 4) Photograph No. 10- Kausar Sheik @ Bootan and 5) Photograph No.15-as Shareef Sheik of Bangladesh.

17.17 The witness [REDACTED] identified accused A-18 Shareef Sheik r/o Kaligunj, Kirangunj village, Shibgunj Police Station limits, Nawabgunj district of Bangladesh Nation from the video clippings, which was already identified by his photograph.

17.18 The Google Earth was exhibited on the large screen with the help of technical team and [REDACTED] was asked to identify the Indo-Bangladesh border, his house, shop, Mohabatpur village of India and Kirangunj, Kaligunj and Kassarhat villages of Bangladesh and located the residences of A-18 and A-32. He identified and located the native villages of A-18 and A-32.

17.19 Further the witness [REDACTED] was taken to analyst room and conducted the proceedings of voice calls recognition/identification on 24-01-2013 in the presence of two independent witnesses and asked him to identify the sample voices of the accused which were legally intercepted and preserved in the voice loggers of NIA Office, Hyderabad. He recognised the voices of the accused A-1, A-13, A-14, A-18, A-19, A-22 and A32.

17.20 A-18 Sharif Sheik, age about 35 years, r/o Kirangunj, Kirangunj, Shibgunj Police Station limits, Nawabgunj District of Bangladesh and A-32 Mohidul, age about 25 years, r/o Kirangunj, Zodatola, Shibgunj Police Station limits, Nawabgunj District of Bangladesh has not been arrested so far. Request for Legal Assistance under MLAT (Mutual Legal Assistance Treaty) has been sent in respect of A-18 Sharif Sheik on 27-09-2012.

18. CHARGE.

It is submitted that in order to unearth the larger conspiracy and to find out whether all the Counterfeit Indian currency notes circulating in Indian economy and counterfeit currency notes seized in cases abroad are of same quality and to find out its common characteristics, the samples were obtained officially from a case registered in Delhi by the Special Police, Delhi in Cr.No. 1/2012 (from CMM Court, Tis Hazari) and from Bangladesh and were subjected to comparison at Currency Note Press (Unit of SPMCIL), Nasik and it was reported that 1) Printing defects are similar, 2) The quality of Paper watermark and security thread, fluorescent fibres used as well as quality and process of printing have close resemblance to each other 3) The style, font, size of numbering and its process of printing in the counterfeit notes are similar 4) The level of counterfeiting is very high and these notes are printed on high-end printing machines requiring huge capital investment. Based on the above observations it was concluded that the Counterfeit Indian Currency Notes of Rs. 500/- & Rs. 1000/- denomination are manufactured by the similar “modus operandi”.

The circulation of high value (denomination Rs. 500/- and Rs. 1000/-) and high quality Counterfeit Indian Currency Notes which are said to be printed in Pakistan and smuggled into India affected the Economic Security of India. The circulation of Counterfeit Indian Currency Notes in India tantamount to the damage of genuine Currency notes (Property) which are printed by RBI for India and it resulted in the destabilization of monetary system of India. This is an offence U/s 16 of UA (P) Act 1967. These offences are committed as a

part of criminal conspiracy to damage the property (Genuine currency notes) by circulating Counterfeit Indian Currency Notes and it is construed as an offence U/s 18 of UA (P) Act 1967.

Regarding the invoking of the provisions of Unlawful Activities (Prevention) Act-1967, the Reserve Bank of India opined that the Indian currency notes in physical form are the property of RBI i.e., Government of India. Indian Bank notes are paper currency and they hold their value because they are legal tenders of Government of India otherwise bank notes do not have any intrinsic value of their own. Since, Genuine Indian currency is the property of Govt. of India and large scale printing and smuggling of high quality high value Counterfeit Indian Currency Notes by a hostile country (Pakistan) clearly damages the credibility of Indian Currency i.e., causes damage to the property of Indian State. Therefore, the act of large scale printing, smuggling and circulation of high value high quality Counterfeit Indian Currency Notes in an organised manner with the support of a hostile country comes within the definition of a terrorist act as per section 15(a) (iv) of UA (P) Act-1967.

18.1 A-22 Surja Jamal s/o Mubarak Hossain, aged about 48 yrs, R/o Native of Jamsed Toula, Mauja Mohabatpur JL No. 55 Charianantapur, Kaliachak of Malda district of West Bengal State:-

He is an associate of A-1 Morjen Hossain and both of them belong to the same village. A-2 Rakib Sheik is younger brother of A-1 against whom charge sheet has already been filed. A-22 Surja Jamal procured Fake Indian Currency Notes from Bangladesh through Mohidul of Bangladesh. The bundles of Fake Currency Notes used to

be thrown from Bangladesh side to Indian side over the fence present at the Indo-Bangladesh border. A-22 Surja Jamal used to get those thrown bundles of Fake Currency Notes by engaging carriers and circulated the same in India. He used to send original currency obtained from the circulation of Fake currency to Mohidul through middlemen after keeping his commission as per their prior understanding. He was arrested on 08-12-2012 by the Police of Baishnabnagar P.S. in Malda district, West Bengal in Cr. No. 303/2012 U/s 489 (B), 489 (C) r/w 120-B IPC and fake Indian currency to a tune of Rs.1,00,000/- was seized from his possession by the police of Baishnabnagar PS, Malda District, West Bengal State.

Hence he committed the offences U/s 489 (B), 120 B of IPC and Section 18 of Unlawful Activities (Prevention) Act, 1967 (as Amended in 2008).

Evidence (Documentary and Material):-

1. Confession statement dt.06/01/2012, given by A-1 at the time of his arrest.
2. Confession statement of the accused A-22 in Crime No 303/2012 U/s 489 (B), 489 (C) r/w 120-B IPC of Baishnabnagar P.S. in Malda district, West Bengal and fake Indian currency to a tune of Rs.1,00,000/- was seized from his possession.
3. Bank withdrawal voucher pertaining to United Bank of India was seized from his house which was in the name of his son Manirul Islam.
4. Proceedings of voice call recognition/identification dated 05-01-2013 of A-22 Surja Jamal.
5. Proceedings of voice call recognition/identification dated 24-01-2013 of [REDACTED].
4. Statement of [REDACTED] U/s 161 Cr.P.C who identified in the proceedings of photo identification parade and also speaks about the offence committed by A-22.
5. Legally intercepted recorded Incriminating conversations

- a. A-22 (phone no. 97XXXXXX820) with A-1 Morjen Hossain (097XXXXXX066)
- b. A-22 (phone no. 97XXXXXX820) with an un-identified person (mobile phone No. 76XXXXXX495 -SDR standing in the name of Rajeswar Sha)
- c. A-22 (087XXXXXX053) with other persons on the following mobile numbers.
 1. 097XXXXXX194 – SDR [REDACTED]
 2. 087XXXXXX876 – SDR [REDACTED]
 3. 085XXXXXX564 – User [REDACTED]
 4. 097XXXXXX296 – SDR [REDACTED]
 5. CAFs of 97XXXXXX820 and 087XXXXXX053.
 6. CDR particulars of phone No. 97XXXXXX820 and 087XXXXXX053 (Mobile used by A-22 Surja Jamal).

Permission for interception:-

1. MHA order No. 14/3/97-T (NIA) dt.5th September 2011 and 11th November 2011 for 097XXXXXX066 (Mobile used by A-1 Morjen Hossain).
2. MHA order No. 14/3/97-T (NIA) dt. 27th February 2012, 4th May 2012 and 11th July 2012 for 97XXXXXX820 (Mobile used by A-22 Surja Jamal).
3. DG, NIA order No.S-01/001/ 2012/NIA (Part-IX)/HYD/945 dt. 21st May 2012 for 087XXXXXX053 (Mobile used by A-22 Surja Jamal). This number was used for his conversation with Mohidul (Mobile No. 96XXXXXX076) of Bangladesh. Mohidul is FICN supplier to A-22 Surja Jamal.
4. MHA order No. 14/3/97-T (NIA) dt. 27th August 2012 and 30th October 2012 for 087XXXXXX053 (Mobile used by A-22 Surja Jamal). This number was used for his conversation with Mohidul (Mobile No. 96XXXXXX076) of Bangladesh. Mohidul is FICN supplier to A-22 Surja Jamal.

**18.2 A-28 Mohammed Anees, S/o Mohd. Iqbal, aged 41 yrs
R/o Badabangashpura, Farukabad, Uttar Pradesh State:-**

He conspired with other accused and circulated high quality and high value Fake Indian Currency Notes, which affected the security of India. He is an associate of A-25 Masood Akhtar Ansari who received

FICN from A-17 and sent a parcel containing FICN Rs. 9,85,000/- to A-24 Imran Khan. In the said parcel the FICN was concealed under the 17 tea packets which were purchased by A-28 Mohd. Anees on the directions of A-25. The A-28 knowingly and wilfully facilitated the crime committed by A-25.

Hence he committed the offences U/s 489 (B), 120 B of IPC and Section 18 of Unlawful Activities (Prevention) Act, 1967 (as Amended in 2008).

Evidence (Documentary and Material):-

1. Confession statement dt. 29/3/2012 of A-25 Masood Akhtar Ansari @ Nayeem
2. Disclosure Memo dt. 15-09-2012 In respect of A-28.
3. Statement U/s 164 Cr.P.C of [REDACTED].
4. Statement U/s 164 Cr.P.C of [REDACTED].
5. Panchanama drafted on 17-09-2012 at the Hill Top coffee and tea centre in Bengaluru.
6. Seizure memo dt. 27/03/2012 in respect of A-23 and A-24.
7. 17 tea packets seized from the parcel containing FICN Rs. 9,85,000/- on 27/03/2012 in Delhi.
8. Statement of [REDACTED] S/o [REDACTED]
[REDACTED] Bangalore
9. Statement of [REDACTED]
[REDACTED] TamilNadu.

18.3 A-31 Kausar Sheikh. @ Bootan s/o Mansur Sheikh, age about 19 years, R/o Mohabatpur village, Charianantapur Gram Panchayat, Duishatabigh Post, Kaliachak Block – III, Malda Dist., West Bengal State:-

He conspired with other accused and circulated high quality and high value Fake Indian Currency Notes, which affected the security of India.

Hence he committed the offences U/s 489 (B), 489 (C), r/w 120 B of IPC and Section 18 of Unlawful Activities (Prevention) Act, 1967 (as Amended in 2008).

Evidence (Documentary and Material):-

1. Panchanama cum seizure memo dt. 12/10/12.
2. Fake Indian Currency Notes Rs. 20,00,000/- (Twenty Lakhs) seized from the possession of A-31 Kausar Sheik on 12/10/2012.
3. Report No. BNM. No./ 12957 /(M) dt. 14.02.02/ 2012-13 of Deputy Manager, Bharatiya Reserve Bank Note Mudran (P) Limited, Mysore. It confirmed that currency notes Rs. 20 Lakhs seized from the possession of the accused A-31 on 12/10/2012, are not Genuine Indian Bank Notes.
4. CDRs of Phone Nos. 95XXXXXX686 and 95XXXXXX409 used by A-31. Through these phone Nos, he had been in contact with A-19 Mohsin Sheik (95XXXXXX686) and [REDACTED] of Bangladesh (No. 95XXXXXX439).
5. CAF details of phone Nos. 95XXXXXX686 and 95XXXXXX409.
6. Mohsin Sheik from his mobile No. 95XXXXXX686 conversation with an unidentified person (74XXXXXX957-SDR in the name of [REDACTED]). In this conversation was intercepted the name of A-31 Kausar Sheikh was referred as Bootan which is alias name of A-31.

Permission for interception:-

1. MHA order No. 14/3/97-T (NIA) dt. 8/11/2011 for 95XXXXXX686 (Mobile used by A-19 Mohsin Sheik)

From the above facts it is established that the accused A-18 and A-22 in pursuance to the criminal conspiracy with A-1 Morjen Hossain and with the intention to destabilize the monetary system of India affecting the internal and economic security and to cause destruction of genuine currency notes owned by the Government of India and to get unlawful monetary

gain by circulation of Counterfeit Indian Currency notes as genuine currency notes. The legally intercepted conversation of A-1 Morjen Hossain with A-18 Shareef Sheik and A-22 Surja Jamal revealed that A-22 circulated Fake Indian Currency Notes. Further, the A-19 was directly in contact with A-18 Shareef Sheik a Bangladesh National who supplied FICN to this network across India/Bangladesh border. The accused A-22, A-28 and A-31 have wilfully caused the destruction of value of genuine Indian currency notes and also affected the internal and economic security of India and thereby the accused A-22 and A-28 have committed the offence u/s 489 (B), r/w 120 B of IPC and Section 16 & 18 of Unlawful Activities (Prevention) Act, 1967 (as Amended in 2008) and the accused A-31 have committed the offence u/s 489 (B), 489 (C), r/w 120 B of IPC and Section 16 & 18 of Unlawful Activities (Prevention) Act, 1967 (as Amended in 2008).

Sanction Order for the prosecution of **1)** A-22 Surja Jamal U/s 489-B, 120 B of IPC and Section 18 of Unlawful Activities (Prevention) Act, 1967 (as Amended in 2008), **2)** A-28 Mohammed Anees U/s 489-B, 120 B of IPC and Section 18 of Unlawful Activities (Prevention) Act, 1967 (as Amended in 2008), **3)** A-31 Kausar Sheikh @ Bootan U/s 489-B, 489-C r/w 120 B of IPC and Section 16 & 18 of Unlawful Activities (Prevention) Act, 1967 (as Amended in 2008), is awaited from under Secretary to Govt of India, Internal Security-I Division, Ministry of Home Affairs, New Delhi. After receiving the orders the same will be filed in the Honourable Court.

Hence, it is prayed that this Hon'ble Court may be pleased to take cognizance against the following accused and they may be tried and punished under the sections mentioned against their names.

Sl. No.	Name of the accused	Prosecution under the sections
1	A-22 Surja Jamal	U/s 489 (B), 120 (B) of IPC and 16 & 18 of Unlawful Activities (Prevention) Act, 1967 (as Amended in 2008)
2	A-28 Mohammed Anees	U/s 489 (B), 120 (B) of IPC and 16 & 18 of Unlawful Activities (Prevention) Act, 1967 (as Amended in 2008)
3	A-31 Kausar Sheikh @ Bootan	U/s 489 (B), 489 (C) r/w 120 (B) of IPC and 16 & 18 of Unlawful Activities (Prevention) Act, 1967 (as Amended in 2008)

19. Despatched on : 09-04-2013

20. No. of enclosures :

21. List of enclosures : Annexure A (List of Witnesses)
Annexure B (List of Documents)
Annexure C (List of Material Objects)

Signature of the Investigating Officer
Submitting the Charge Sheet



Dy. Superintendent of Police
NIA, Hyderabad.